

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JARVON D. GREEN,

Plaintiff,

v.

PHILLIPS, *et al.*,

Defendants.

No. 1:23-cv-01277-KES-BAM (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS TO DISMISS  
ACTION FOR FAILURE TO STATE A  
CLAIM, FAILURE TO OBEY A COURT  
ORDER, AND FAILURE TO PROSECUTE

(Doc. 13)

Plaintiff Jarvon D. Green is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 25, 2023, the assigned magistrate judge issued a screening order, finding that plaintiff's complaint failed to state a cognizable claim and granting plaintiff leave to file a first amended complaint or a notice of voluntary dismissal within thirty (30) days. Doc. 11. Plaintiff was warned that failure to comply with the Court's order would result in a recommendation for dismissal of this action, with prejudice, for failure to obey a court order and for failure to state a claim. *Id.* Plaintiff did not file an amended complaint.

Thereafter, on December 11, 2023, the magistrate judge issued findings and recommendations recommending dismissal of this action, with prejudice, for failure to state a claim pursuant to 28 U.S.C. § 1915A, failure to obey a court order, and failure to prosecute.

1 Doc. 13. Those findings and recommendations were served on plaintiff and contained notice that  
2 any objections thereto were to be filed within fourteen days after service. *Id.* at 10. Plaintiff has  
3 not filed objections, and the deadline to do so has passed.

4 In accordance with 28 U.S.C. § 636 (b)(1), the Court has conducted a de novo review of  
5 the case. Having carefully reviewed the file, the Court concludes that the magistrate judge's  
6 findings and recommendations are supported by the record and by proper analysis.

7 Accordingly:

- 8 1. The findings and recommendations issued on December 11, 2023, (Doc. 13), are  
9 adopted in full;
- 10 2. This action is dismissed, with prejudice, due to plaintiff's failure to state a claim,  
11 failure to obey a court order, and failure to prosecute; and
- 12 3. The Clerk of the Court is directed to close this case.

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15 IT IS SO ORDERED.

16 Dated: August 24, 2025

  
UNITED STATES DISTRICT JUDGE